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ATTORNEY DOCKET NO.: EMC04-01(04011)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Stephen Strickland, John V. Burroughs, and Timothy Dorr
Serial No.: Unassigned
For: TECHNIQUES FOR MAINTAINING OPERATION OF A DATA
STORAGE SYSTEM DURING A FAILURE
Filing Date: March 25, 2004
Examiner: Unassigned
Art Unit: Unassigned

UTILITY PATENT APPLICATION TRANSMITTAL

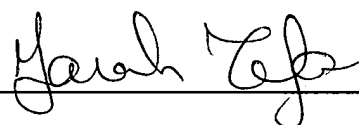
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: **MAIL STOP PATENT APPLICATION**, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on:

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MAIL STOP PATENT APPLICATION

Commissioner for Patents
PO Box 1450
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Sir:

Transmitted herewith for filing is a patent application entitled:

**TECHNIQUES FOR MAINTAINING OPERATION OF A DATA
STORAGE SYSTEM DURING A FAILURE**

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Named Inventor(s) / Inventor Address(es) / Inventor Citizenship(s):

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Enclosed is/are:

- [x] Transmittal Letter including fee calculations (this form, 4 pages, in duplicate), Total Pages: 8;
- [x] REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i); Total Pages: 1;
- [x] Utility Patent Application Specification including: 20 Claims (4 Independent, 16 Dependent), Abstract of the Disclosure, Total Pages: 20;
- [x] Drawings: [x] Formal, [] Informal (Figs: 1, 2, 3, 4), Total Sheets: 4;
- [x] Newly Executed Oath/Declaration/Power Of Attorney, Total Pages: 3;
- [x] Assignment Papers (Assignment Recordation Cover Sheet 1 page, Copy of Assignment Document 4 pages), Total Pages: 5;
- [x] Return Receipt Pre-paid Postcard (in duplicate), Total Postcards: 2;
- [x] Authorization to Charge Deposit Account No. 50-0901, if Required;
- [x] Check in the amount of: \$ 896.00, with fee amounts calculated as follows:

- 3 -

CLAIMS	Number Filed	Number Extra	Rate	Calculations
Total Claims	20-20 =	0	x \$18	\$0.00
Independent Claims	4-3 =	1	x \$86	\$86.00
Multiple Independent Claims			+ 290 =	\$0.00
BASIC FILING FEE =				\$770.00
Total of Above Calculations =				\$856.00
Assignment Recordation Fee =				\$40.00
TOTAL FEE FOR THIS PATENT APPLICATION =				\$896.00

Please direct all telephone calls and address all correspondence to:

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If the enclosed fee is insufficient or if there is an overpayment of the enclosed fees, the balance and/or credit may be charged and/or credited to the account of the undersigned, Deposit Account No. 50-0901.

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If the enclosed papers or fees are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (508) 366-9600, in Westborough, Massachusetts.

Respectfully submitted,

By: _____



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Attorney Docket No.: EMC04-01(04011)

Dated: March 25, 2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Stephen Strickland, John V. Burroughs, and Timothy Dorr
	Title	TECHNIQUES FOR MAINTAINING OPERATION OF A DATA STORAGE SYSTEM DURING A FAILURE
	Atty. Docket Number	EMC04-01(04011)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 25, 2004

Date


Signature

David E. Huang, Esq.

Type or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 35 U.S.C. 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington DC 20231.**